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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 BOBBY WELLS,

10 Plaintiff,

11 Case No. C12-1697-TSZ

12 v.

13 ORDER DISMISSING ACTION

14 CLAUDIA BALDUCCI, *et al.*,

15 Defendants.

16 The Court, having reviewed the Report and Recommendation of the Honorable James P.
17 Donohue, United States Magistrate Judge, docket no. 30, to which no objection was timely filed,
18 does hereby find and ORDER:

19 (1) The Court ADOPTS the Report and Recommendation in part, and MODIFIES the
20 Report and Recommendation in part.

21 (2) Defendants' motion to dismiss (Dkt. No. 27) is GRANTED. Plaintiff's second
22 amended complaint (Dkt. No. 15) and this action is DISMISSED without prejudice. This case
23 is deemed moot, and the Court makes no ruling concerning the merits of plaintiff's claims.

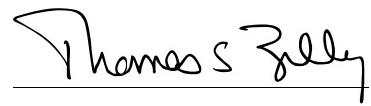
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ORDER DISMISSING ACTION - 1

1 (3) The Clerk is directed to send copies of this Order to plaintiff pro se, to counsel for
2 respondent, and to the Honorable James P. Donohue.

3 DATED this 18th day of November, 2013.

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6 THOMAS S. ZILLY
7 United States District Judge